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<b>DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION</b> <b>(37 CFR 1.63)</b>  <input checked="" type="checkbox"/> Declaration Submitted With Initial Filing      OR <input type="checkbox"/> Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)	Attorney Docket Number	263/087
	First Named Inventor	Louis J. Barbato
	<b>COMPLETE IF KNOWN</b>	
	Application Number	09/906,903
	Filing Date	July 16, 2001
	Group Art Unit	Unknown
	Examiner Name	Unknown

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**ELECTRONICALLY SCANNED OPTICAL COHERENCE TOMOGRAPHY WITH FREQUENCY MODULATED SIGNALS**

the specification of which (Title of the Invention)

☐ is attached hereto

OR

☒ was filed on (MM/DD/YYYY) **07/16/2001** as United States Application Number or PCT International

Application Number **09/906,903** and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims as amended specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Country	Priority Not Claimed	Certified Copy Attached?	
					YES	NO
None				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

[Page 1 of 2]

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## DECLARATION — Utility or Design Patent Application

Direct all correspondence to:

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22249

OR

☒ Correspondence address below

PATENT TRADEMARK OFFICE

David E. Wang, Esq.

**Name**

Lyon & Lyon LLP

633 West Fifth Street, Forty-Seventh Floor

**Address**

Los Angeles

CA

90071-2066

**City**

**State**

**ZIP**

USA

949-567-2300 or 213-489-1600

949-567-6600 or 213/955-0440

**Country**

**Telephone**

**Fax**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**NAME OF SOLE OR FIRST INVENTOR:**

☐ A petition has been filed for this unsigned inventor

**Given Name**

Louis J.

(first and middle [if any])

**Family Name**

Barbato

or Surname

**Inventor's  
Signature**

**Date**

8/6/2001

Franklin

MA

USA

USA

**Residence: City**

**State**

**Country**

**Citizenship**

8 Skyline Drive

**Mailing Address**

Franklin

MA

02038

USA

**City**

**State**

**Zip**

**Country**

**NAME OF SECOND INVENTOR:**

☐ A petition has been filed for this unsigned inventor

**Given Name**

(first and middle [if any])

**Family Name**

or Surname

**Inventor's  
Signature**

**Date**

**Residence: City**

**State**

**Country**

**Citizenship**

**Mailing Address**

**City**

**State**

**Zip**

**Country**

☐ Additional inventors are being named on the \_\_\_\_\_ supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.

Please type a plus sign (+) inside this box



PTO/SB/81 (02-01)

Approved for use through 10/31/2002. OMB 0651-0035

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# POWER OF ATTORNEY OR AUTHORIZATION OF AGENT

Application Number	09/906,903
Filing Date	July 16, 2001
First Named Inventor	Louis J. Barbato
Group Art Unit	To be Assigned
Examiner Name	To be Assigned
Attorney Docket Number	263/087

I hereby appoint:

☒ Practitioners at Customer Number 22249



22249

☒ Please direct correspondence to practitioner(s) named below:

Name	Registration Number
David E. Wang	38,358

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

☒ The above-mentioned Customer Number.

OR

☒ Firm or Individual Name Lyon & Lyon LLP

Address Suite 4700

Address 633 West Fifth Street

City Los Angeles State CA ZIP 90071-2066

Country USA

Telephone 949-567-2300 OR 213-489-1600 Fax 949-567-6600 or 213-944-0440

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.

Certificate under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

## SIGNATURE of Applicant or Assignee of Record

Name SCIMED LIFE SYSTEMS, INC.

Signature By:

Name: \* Albert K. Kau

Title: \* Assistant Secretary

Date \* 8/7/01

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☒ \*Total of one form is submitted.

Burden Hour Statement: This form is estimated to take 3 minutes to complete. Time will vary depending upon the needs of the individual case. Any Comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



JULY 15, 2002

PTAS

Commissioner for Trademarks  
Arlington, VA 22202-3513  
www.uspto.gov

LYON & LYON LLP  
DAVID E. WANG  
633 WEST FIFTH STREET, SUITE 4700  
LOS ANGELES, CA 90071-2066



\*102089623A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 01/29/2002

REEL/FRAME: 012883/0064

NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

BARBATO, LOUIS J.

DOC DATE: 08/06/2001

ASSIGNEE:

SCIMED LIFE SYSTEMS, INC.

ONE SCIMED PLACE

MAPLE GROVE, MINNESOTA 55311-1566

SERIAL NUMBER: 09906903

FILING DATE: 07/16/2001

PATENT NUMBER:

ISSUE DATE:

JEFFREY OLSEN, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

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SHEET

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

Docket No. 263/087

To the Honorable Commissioner of Patents

102089623

The attached original documents or copy thereof.

## 1. Name of conveying party(ies):

Louis J. Barbato

Additional name(s) of conveying party(ies) attached?

☐ Yes ☒ No

## 2. Name and address of receiving party:

Name: Scimed Life Systems, Inc.Internal Address: One Scimed PlaceCity: Maple Grove State: Minnesota Zip: 55311-1566Street Address: as above

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Additional name(s) & address(es) attached? ☐ Yes ☒ No

## 3. Nature of conveyance:

☒ Assignment☐ Merger☐ Security Agreement☐ Change of Name☐ Other \_\_\_\_\_Execution Date: August 6, 2001

## 4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: July 16, 2001A. Patent Application No(s): 09/906,903

B. Patent No(s): \_\_\_\_\_

Additional numbers attached? ☐ Yes ☒ No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name: David E. WangInternal Address: LYON & LYON LLP633 West Fifth Street, Suite 4700  
Los Angeles, CA 90071-20666. Total number of applications and patents involved: 1

## 7. Total fee (37 CFR 3.41):

\$ 40.00

☐ Enclosed☒ Charge this Deposit Account if any additional fee is required8. Deposit Account Number: 12-2475

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## 9. Statement and signature:

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Date: April 24, 2002

David E. Wang, Reg No. 38,358

Total number of pages including cover sheet: 3

OMB No. 0651-0011 (exp. 4/94)

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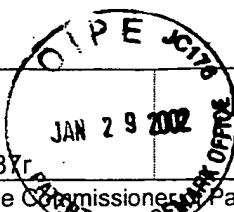
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Docket No. 263/087

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies): Louis J. Barbato Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	2. Name and address of receiving party: Name: <u>Scimed Life Systems, Inc.</u> Internal Address: <u>One Scimed Place</u> City: <u>Maple Grove</u> State: <u>Minnesota</u> Zip: <u>55311-1566</u> Street Address: <u>as above</u> City: _____ State: _____ Zip: _____ Additional name(s) & address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
3. Nature of conveyance: <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name  <input type="checkbox"/> Other <u>1-29-02</u> Execution Date: <u>August 6, 2001</u>	

4. Application number(s) or patent number(s): If this document is being filed together with a new application, the execution date of the application is: <u>July 16, 2001</u>	
A. Patent Application No(s): <u>09/906,93</u>	B. Patent No(s): _____
Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

5. Name and address of party to whom correspondence concerning document should be mailed: Name: <u>David E. Wang</u>  Internal Address: <u>LYON &amp; LYON LLP</u> <u>633 West Fifth Street, Suite 4700</u> <u>Los Angeles, CA 90071-2066</u>	6. Total number of applications and patents involved: <u>1</u>
	7. Total fee (37 CFR 3.41): <u>\$ 40.00</u> <input type="checkbox"/> Enclosed  <input checked="" type="checkbox"/> Charge this Deposit Account if any additional fee is required
	8. Deposit Account Number: <u>12-2475</u>

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9. Statement and signature:  To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.  <u>David E. Wang</u> David E. Wang, Reg No. 38,558  Date: <u>October 19, 2001</u>  Total number of pages including cover sheet: <u>3</u>	
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OMB No. 0651-0011 (exp. 4/94)

02/08/2002 GT0N11 00000174 122475 09906903  
01 FC:581 40.00 CH

ASSIGNMENT OF PATENT APPLICATION

WHEREAS, I, **LOUIS J. BARBATO**, a citizen of the United States Of America, (hereinafter referred to as "ASSIGNOR"), have invented and own a certain invention entitled **ELECTRONICALLY SCANNED OPTICAL COHERENCE TOMOGRAPHY WITH FREQUENCY MODULATED SIGNALS** for which application for Letters Patent of the United States of America has been filed on July 16, 2001, assigned Serial No. 09/906,903]; and

WHEREAS, **SCIMED LIFE SYSTEMS, INC.**, a corporation organized and existing under and by virtue of the laws of the state of Minnesota and having its principal place of business at **One Scimed Place, Maple Grove, Minnesota 55311-1566** (hereinafter referred to as "ASSIGNEE"), is desirous of acquiring the exclusive right, title and interest in, to and under said invention and in, to and under any Patent or similar legal protection to be obtained therefor in the United States of America, its territorial possessions and in any and all countries foreign thereto.

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNOR hereby sells, assigns, transfers and sets over unto the said ASSIGNEE, its successors and assigns, the full and exclusive right, title and interest to said invention and to all Letters Patent or application or similar legal protection, not only in the United States and its territorial possessions, but in all countries foreign thereto to be obtained for said invention by said application, and to any continuation, division, renewal, substitute or reissue thereof or any legal equivalent thereof in the United States or a foreign country for the full term or terms for which the same may be granted, including all priority rights under the International Convention; and ASSIGNOR hereby authorizes and requests the United States Commissioner of Patents and Trademarks, and any officials of foreign countries whose duty it is to issue patents or any legal

equivalent thereof, to issue said patents to ASSIGNEE, its successors and assigns, in accordance with this Assignment.

ASSIGNOR hereby covenants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this Agreement;

ASSIGNOR further covenants that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said application, said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNOR and will testify as to the same in any interference or litigation related thereto and will promptly execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents in the United States or in any foreign country, which may be necessary or desirable to carry out the purposes thereof.

WITNESS my hand at \*Natick Massachusetts, this 6<sup>th</sup> day of  
(City) (State)  
August, 2001.

[Signature]  
Louis J. Barbato

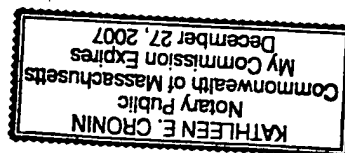
STATE OF Massachusetts )  
) ss  
COUNTY OF Middlesex )

On August 6, 2001 before me, Kathleen E. Cronin, personally appeared LOUIS J. BARBATO ☐ personally known to me - OR - ☒ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

(SEAL)

Kathleen E. Cronin  
Notary Public in and for said County and State







APRIL 05, 2002

PTAS

LYON & LYON LLP  
DAVID E. WANG  
633 WEST FIFTH STREET  
SUITE 4700  
LOS ANGELES, CA 90071-2066

263/087  
Chief Information Officer  
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*Resp. due (NXT) 5/5/02*

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PAULA MCCRAY, EXAMINER  
ASSIGNMENT DIVISION  
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